

A person dissatisfied with the ballot title issued by the District Attorney may petition the circuit court of the judicial district in which the county is located for a different title. The petition must be filed not later than the seventh day after the ballot title is filed with the county clerk. The review of the title by the circuit court shall be the first and final review.

C. Cover and Signature Sheets; Circulation of Petitions

All specifications concerning cover and signature sheets for statewide initiative and referendum petitions shall apply to county petitions (see page 9). All rules regarding circulation of such petitions shall apply to circulation of county petitions.

D. Filing the Petition; Number of Signatures Required

All county initiative and referendum petitions must be filed with the county election officer. Signature sheets shall be filed attached to the same cover sheet used during circulation. The number of signatures of electors required to place an initiative or referendum measure on the ballot is based upon a percentage of votes cast in the county for all candidates for Governor at the election next preceding the filing of the petition at which a Governor was elected for a term of four years.

Signature requirements are as follows, as calculated by county election official:

1. A referendum petition shall contain a number of signatures equal to 4%.
2. An initiative petition shall contain a number of signatures equal to 6%.

A petition will not be accepted for filing unless the petition contains at least 100 percent of the required number of signatures of qualified electors.

A county initiative petition may be filed anytime. The date of the election and amount of time for collecting signatures are determined as follows:

1. First, count 90 days ahead from the date the petition was filed for signature verification. Do not count the date of filing. For example, if the signatures were filed for verification on March 8, 1988, June 6, 1988 would be the 90th day after the signatures were filed.
2. The date of the election is the next available date on or after the 90th day counted above. Continuing with the example, the next available election date would be June 28, 1988.

IV. CITY MEASURES (ORS 250.255 - 250.346)

Oregon election laws relating to petition forms, qualifications of signers and the form and readability of ballot titles apply to the initiative and referendum process in cities regardless of any contrary provision in a city charter or ordinance. Other matters discussed herein may be governed by charter or ordinance. Check with the City Election Office or the City Council for applicable city charter or ordinance provisions.

A. Filing Prospective Petition

Before circulating a petition to initiate or refer a city measure, the chief petitioners shall file a prospective petition with the city elections officer. The contents of the petition shall be the same as those described for a statewide measure (see page 7); however, a prospective initiative petition for a city measure need not contain a statement of sponsorship signed by 25 electors. The Secretary of State has prescribed by rule SED Form 120S for use in filing a prospective petition for a city measure.

B. Ballot Title

Requirements for issuing a ballot title for a city measure are the same as those for county measures (see page 16), except that the city attorney shall issue the ballot title not later than the fifth business day after receiving copies of the prospective petition from the chief city elections officer. When a prospective petition for a city measure to be referred is filed with the city elections officer, the officer shall authorize the circulation of the petition containing the title of the measure as enacted by the city governing body or, if there is no title, the title supplied by the petitioner filing the prospective petition.

The ballot title shall consist of a caption not exceeding 10 words that reasonably identifies the subject, a question not exceeding 20 words that phrases the chief purpose and a statement, not exceeding 85 words in length, that summarizes the proposed measure and its major effect. The city attorney is responsible for insuring that the ballot title complies with the standard of minimum readability established by the Secretary of State to the fullest extent practicable consistent with the requirements of impartiality, conciseness and accuracy. Copies of the administrative rules governing ballot readability can be found in the appendix of this manual.

* The city elections officer shall publish in the next available edition of a newspaper of general distribution in the city a notice of receipt of the ballot title, including a statement that an elector may file a petition for review of the ballot title not later than the seventh business day after the title is filed.

→ A person dissatisfied with the ballot title issued by the city attorney shall follow the same appeal procedure as that prescribed for county measures (see page 17). The petition for appeal shall be

filed in the circuit court of the district in which the city is located. The review of the title by the circuit court shall be the first and final review.

Appendix
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C. Cover and Signature Sheets; Circulation of Petitions

All specifications concerning cover and signature sheets for statewide initiative and referendum petitions shall apply to city petitions (see page 9). All rules regarding circulation of such petitions shall apply to circulation of city petitions.

D. Filing the Petition; Number of Signatures Required

All city initiative and referendum petitions must be filed with the city elections officer. Signature sheets shall be filed attached to the same cover sheet used during circulation. The number of signatures of electors required to place an initiative or referendum measure on the ballot is based upon a percentage of electors registered in the city.

Signature requirements are as follows, as calculated by the city elections official:

1. A referendum petition shall contain the signatures of not less than 10% of the electors of the city.
2. An initiative petition shall contain the signatures of not less than 15% of the electors of the city.

A petition will not be accepted for filing unless the petition contains at least 100 percent of the required number of signatures of qualified electors.

A referendum petition must be filed not later than the 30th day after adoption of the city legislation to be referred. The election date for a city referendum, if not provided for in the city charter or city ordinance, must follow state law as prescribed in the Oregon Constitution, Article IV, section 1.

A city initiative petition may be filed for signature verification anytime, unless otherwise provided for in city charter or ordinance.

E. Verification of Signatures; Certification of Measure to Ballot

The city elections officer will detach the signature sheets from the cover sheets, check for signed certifications and verify the signatures with the voter registration records on file with the appropriate county election officer.

A final determination as to the petition's sufficiency must be made within 15 days after the date on which the petition was filed.

After the petition is determined to be sufficient the city elections officer will file the initiated measure with the city governing body at its next meeting. The governing body may either adopt or reject

The Secretary of State is required to immediately send a copy of all written comments received regarding a draft ballot title to the Attorney General for review. The Attorney General shall consider any written comments submitted and certify to the Secretary of State either the draft ballot title or a revised ballot title not later than the fifth business day after receiving the written comments. At the same time, after reviewing public comments, the Secretary of State shall notify the chief petitioners, in writing, of the Secretary's determination as to whether the proposed initiative measure complies with the one-subject-only rule of the Oregon Constitution, Article IV, section 1(2)(d). The Secretary of State shall also mail to the interested persons who submitted comments on the draft ballot title a copy of that notice.

Any person dissatisfied with a ballot title prepared and certified by the Attorney General and who submitted written comments on the draft title in a timely manner, may petition the Supreme Court for a different title. The petition for review must be filed not later than the 10th business day after the Attorney General certifies the ballot title to the Secretary of State. Private legal assistance may be needed in preparing a petition for review of the ballot title. Information about the review process is available through the State Court Administrator.

If the Supreme Court reviews the ballot title, the ballot title certified to the Secretary of State by the Supreme Court shall be the one used on the cover sheet of the initiative petition and on the ballot.

The Legislative Assembly, if it chooses to do so, may prepare a ballot title for a measure referred to the people by the Assembly. Any person dissatisfied with this ballot title may petition the Supreme Court seeking a different title.

If the Legislative Assembly does not prepare the ballot title for its measure, the Attorney General must prepare a draft ballot title not later than the 30th day after the Assembly adjourns. As in the case of a draft ballot title issued for an initiative or referendum petition, any person may submit written suggestions for changes. If a person who submitted written suggestions is dissatisfied with the certified ballot title issued by the Attorney General that person may petition the Supreme Court for a different title.

C. Cover and Signature Sheets

Revised
A copy of the cover and signature sheets must be submitted to the ~~Secretary of State~~ for approval prior to circulation. The format will be reviewed and the text will be proofread. The copy submitted must be on the same paper that will be used for circulation. The text of the measure must be printed exactly as it was submitted when the prospective petition was filed. When the sheets are determined to be correct, the petitioners will be authorized to begin circulation. Petitioners are advised to wait for this authorization prior to ordering a printing run.